

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,**

as representative of

**THE COMMONWEALTH OF PUERTO RICO,
et al.¹
Debtors**

PROMESA

Title III

No. 17-BK-3283-LTS

(Jointly Administered)

**APPLICATION OF DAVID POWLEN TO BE ADMITTED
PRO HAC VICE AND NOTICE OF APPEARANCE**

TO THE HONORABLE COURT:

COMES NOW David Powlen, (hereinafter the Applicant), and Totti and Rodriguez Diaz, PSC, and very respectfully aver and pray as follows:

1. The Applicant is member of the firm Barnes & Thornburg, LLP, with offices at

1000 N. West Street,
Suite 1500,
Wilmington DE 19801.
Tel. 302-300-3435.

2. The Applicant will sign all pleadings with the name David Powlen.

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); and (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

3. The Applicant has been retained as member of Barnes & Thornburg, LLP, and together with Local Counsel, Totti & Rodriguez Diaz, PSC, has been retained by Roche Diagnostics Corporation to provide legal advice and representation related to the above captioned Title III Proceeding pending before this Honorable Court.

4. Counsel David Powlen is admitted to practice by, and is a member in good standing of the following courts:

Delaware State Bar, Admitted 9/19/2007
Indiana State Bar, Admitted 10/12/1978
New York Bar, Admitted 3/17/2004
Pennsylvania Bar, Admitted 10/25/2005, 201863
U.S. District Court, District of Delaware, Admitted 4/9/2009
U.S. District Court, Southern District of Indiana, Admitted 10/12/1978
U.S. District Court, Southern District of New York, Admitted 5/12/2009
U.S. District Court, Eastern District of Pennsylvania, Admitted 4/24/2013
U.S. Court of Appeals, Third Circuit, Admitted 9/7/2012
U.S. Court of Appeals, Seventh Circuit, Admitted 5/3/1985

5. Applicant hereby certifies that he is not suspended from practice of law before any court or jurisdiction, nor is he subject to any complaint for unethical conduct, disciplinary proceeding or criminal charges before any court or jurisdiction.

6. Applicant further certifies that, during the past three years, Applicant has not filed for Pro Hac Vice admission in the United States District Court for the District of Puerto Rico

7. As previously noted, Totti & Rodriguez Diaz, PSC has been appointed as local counsel for the Applicant, and will also concurrently serve as counsel of record for Roche Diagnostics Corporation. Totti & Rodriguez Diaz, PSC hereby consents and accepts the designation as local counsel for the Applicant.

8. Local Counsel, and co-counsel of record associated with this application in this matter is:

Daniel Molina-Lopez
USDC-PR 211813
416 Ponce de León Ave.
Suite 1200
San Juan, Puerto Rico, 00918
Email: dml@trdlaw.com
Tel. 787-753-7910
Fax 787-764-9480

9. The Applicant hereby certifies that he has read and review the Local Rules for the United States District Court for the District of Puerto Rico, which provide in part that attorneys appearing *pro hac vice* must comply with the provisions set forth therein and pay an admission fee of \$300 per appearance in each new case before the Court. Accordingly, payment of the *pro hac vice* admission fee is attached hereto in the form of a check or money order payable to: "Clerk, U.S. District Court."

WHEREFORE, Applicant hereby requests the Honorable Court to be admitted to practice in the United States District Court for the District of Puerto Rico for the above captioned cases only.

Furthermore, Applicant, together with the offices of Totti & Rodriguez Diaz, PSC, requests this Honorable Court to enter their appearance on behalf of Roche Diagnostics Corporation, and that all notices given, or required to be given, and all pleadings, motions, orders, applications, petitions, disclosures, plans, and any and all other documents filed and served, or required to be filed and served in connection with the captioned case, be given and served upon the undersigned attorneys, at the address set forth below

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, on August 4, 2017.

s/ *David M. Powlen*
David M. Powlen (DE No. 4978)

s/ *Daniel Molina Lopez*
Daniel Molina López, Esq.

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I HEREBY CERTIFY that, pursuant to L.Civ.R. 83.1(f), I consent to the designation of local counsel of record for all legal pertinent purposes.

I FURTHER HEREBY CERTIFY that on this same date I electronically filed the foregoing with the Clerk of this Court using the CM-ECF system which will send notification of such filing to all CM-ECF participants registered to receive notices in the case at bar.

In San Juan, Puerto Rico, on August 4, 2017.

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